

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

LORENZO PERKINS JR., ET AL.

CASE NO. 3:21-CV-01701

VERSUS

JUDGE TERRY A. DOUGHTY

SHEFFIELD RENTALS INC., ET AL.

MAG. JUDGE KAYLA D. MCCLUSKY

MEMORANDUM RULING

Before the Court is a Motion to Amend Judgment [Doc. No. 58] to Include Defendants Rex Pierce (“Pierce”), Paul Dillard Williams (“Williams”), and Wilon Jamar Smith (“Smith”) (collectively, “Employee Defendants”), or alternatively, Motion for Summary Judgment [Doc. No. 63] filed by Employee Defendants. Plaintiffs Lorenzo Perkins (“Perkins”) and Pamela Perkins (collectively, “Plaintiffs”) filed an opposition [Doc. No. 73].

For the reasons set forth herein, Defendants’ Motion is **GRANTED**.

I. BACKGROUND AND PROCEDURAL HISTORY

This Court previously granted a Motion for Summary Judgment filed by Defendants Sheffield Rentals, Inc. (“Sheffield”), Employer’s Mutual Casualty Co. (“Employers Mutual”), and Love’s Truck Stops & Country Stores, Inc. (“Loves”) (collectively, “Employer Defendants”). In that ruling, this Court found that the placement of the portable restrooms did not create an unreasonable risk of harm and dismissed Plaintiffs’ claims against Employer Defendants with prejudice.¹

At all times pertinent to the instant suit, the remaining Employee Defendants were employees of the Employer Defendants Loves and/or Sheffield and are alleged to be liable for

¹ [Doc. No. 57]

their actions as employees.² Specifically, the Employee Defendants are allegedly responsible for the placement of the portable restrooms.

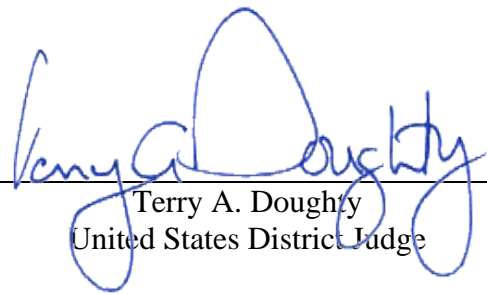
II. ANALYSIS

As this Court has already found that the placement of the portable restrooms did not create an unreasonable risk of harm, there is no possible liability on the part of Employee Defendants for their role in the placement of the portable restrooms. Accordingly, the claims against the remaining Employee Defendants must be dismissed with prejudice.

III. CONCLUSION

For the reasons set forth herein, **IT IS ORDERED, ADJUDGED, AND DECREED** that Defendants' Motion to Amend Judgment [Doc. No. 58] to Include Defendants Rex Pierce, Paul Dillard Williams, and Wilon Jamar Smith, or alternatively, Motion for Summary Judgment [Doc. No. 63] is **GRANTED**. All claims against Pierce, Williams, and Smith are hereby **DISMISSED WITH PREJUDICE**.

MONROE, LOUISIANA, this 26th day of April, 2023.



Terry A. Doughty
United States District Judge

² See [Doc. No. 44]